Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Recorded 1 0 2008 Filing No	75900
At 3:16 AM/PM in Book RIL	) Page <u>/43</u> 2
Fee Notee Debra L. Ames Rich Co	ounty Recorder
Requested by State of	Utah

### THE STATE OF UTAH

## TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Rich County as it pertains to the highway located in Rich County known as AR56; County Road Number: AR56; State Geographic Information Database (SGID) Road Identification Number: RD170508. Total road length is 1.44 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 10th day of Norman 200 8.

By the Governor's Designee

John Harja

### CERTIFICATION

State of Utah ) : ss County of Salt Lake )

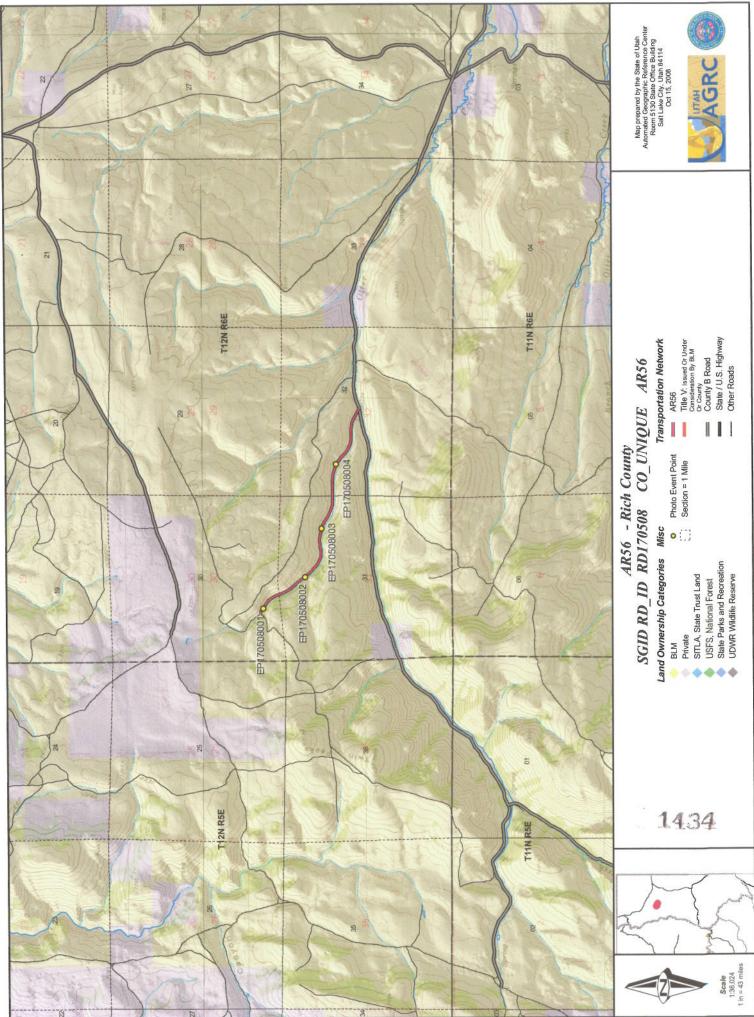
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 10th day of November, 200 8

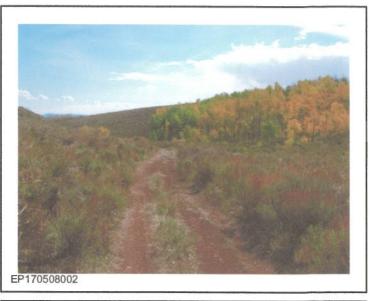
Notary Public

Notary Public
DEBORAH MONTGOMERY
Stile State Office Bidg, PO 80x 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
Stale of Utah

1433











EP000000000

EP000000000

AR56 - Rich County SGID RD\_ID RD170508

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 October 27, 2008



1435

# Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: AR56

County: Rich

County Road Number: AR56

State Geographic Information Database (SGID) Road Identification Number: RD170508.

Total Road Length: 1.44 miles more or less.

**Beginning at a point** on the road centerline located at 41 degrees 44 minutes 42.19 seconds North Latitude and -111 degrees 19 minutes 01.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,690,349.3 feet and Y = 3,795,243.0 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 44 minutes 11.37 seconds North Latitude and -111 degrees 17 minutes 37.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,696,745.8 feet and Y = 3,792,137.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 6 East, Section(s) 30,31,32, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

# Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: AR56

County: Rich

County Road Number: AR56

State Geographic Information Database (SGID) Road Identification Number: RD170508.

Total Road Length: 1.44 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD170508	001	BLM	1.44 Miles	A
		Total Road Length	1.44	

<sup>\*</sup> Indicates that a Title V permit will be requested, is in process, or has been issued.

<sup>†</sup> Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment5

# AFFIDAVIT OF HOWARD J. LAMBORN RICH COUNTY, UTAH RICH COUNTY D ROAD NO. AR56

State of Utah	)
	: SS.
County of Rich	)

I, HOWARD J. LAMBORN, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on June 16, 1923 in Laketown, Utah. I have lived in Rich County for 80 years. I have been a cattle rancher for the past 55 years. I was also employed by the Rich County School District for 34 years.
- 2. I have traveled and am familiar with Rich County Road No. AR 56 and the land it traverses.
- 3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 56 (the "Road") are the same road:
- a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.
- c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the early 1950s through 1976 and continuing until 2007, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2007, it appeared to follow the same route as in the early 1950s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately monthly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including horseback and I have observed others from the general public traveling it by the same means and by ATV and pickup.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, traveling in and through the area and sight seeing and I have observed others from the general public using the Road for the same purposes and others including recreation and hunting.

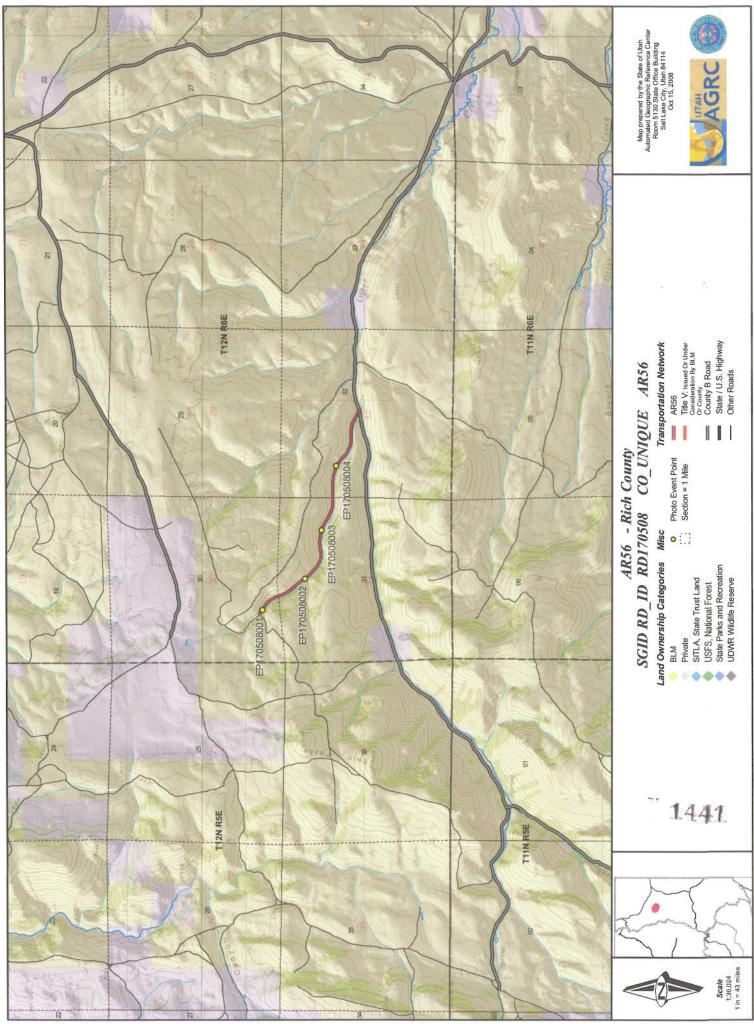
DATED this 27 day of October, 2008.

HOWARD J. LAMBORN

SUBSCRIBED AND SWORN to before me this 24th day of October, 2008.

Notary Public GLORIA GARDNER Commission Number 578232 My Commission Expires October 18, 2012 State of Utah

NOTARY PUBLIC



SGID Road ID Number RD\_ID: RD170508

Attachment 1

Page 1 of 1

# AFFIDAVIT OF GLEN H. THOMSON RICH COUNTY, UTAH RICH COUNTY D ROAD NO. AR56

State of Utah	)
	: SS.
County of Rich	)

I, GLEN H. THOMSON, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on July 21, 1934 in Randolph, Utah. I have lived in Rich County for 71 years. I have been a cattle rancher for the past 65 years.
- 2. I have traveled and am familiar with Rich County Road No. AR 56 and the land it traverses.
- 3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 56 (the "Road") are the same road:
- a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.
- c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from 1944 through 1976 and continuing until 2007, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the 1900s, prior to my earliest recollection.

When I last traveled and observed the Road in 2007, it appeared to follow the same route as in 1944 when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting throughout the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including ATVs and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, recreation and hunting and I have observed others from the general public using the Road for the same purposes and others including oil gas exploration, traveling in and through the area, wood gathering, fire control, predator control and wildlife inventory from Utah State University.

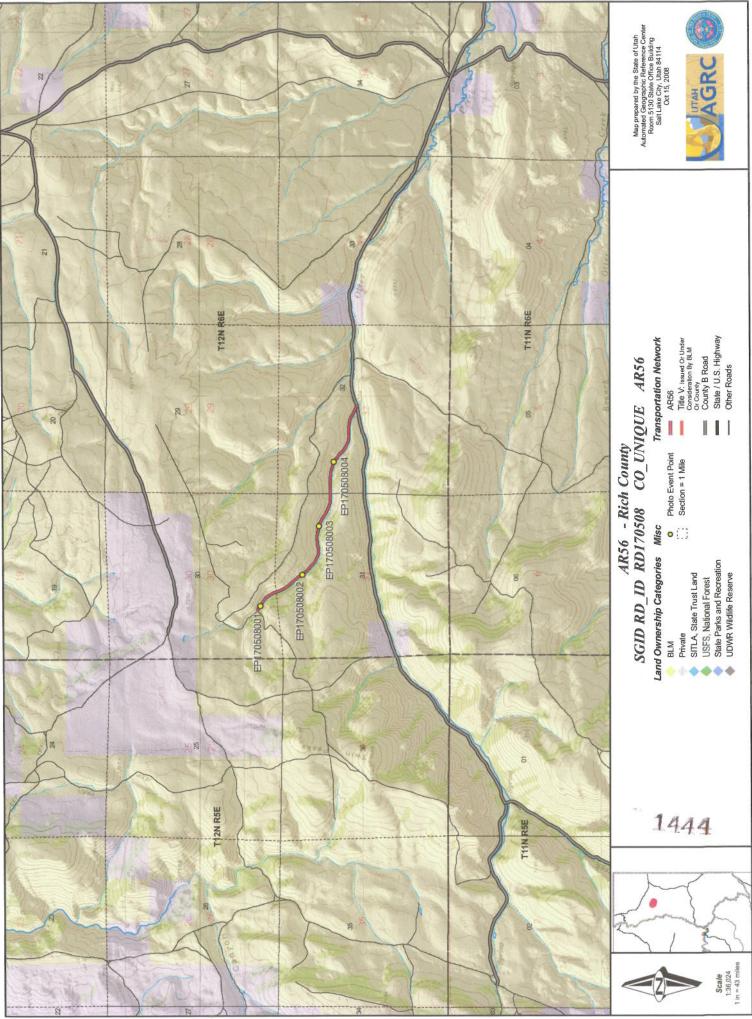
DATED this 22 day of October, 2008.

GLEN H. THOMSON

SUBSCRIBED AND SWORN to before me this and day of October, 2008.

Notary Public GLORIA GARDNER Commission Number 576232 My Commission Expires October 16, 2012 State of Utah

Slovea Slandas NOTARY PUBLIC



### Appendix A to Attachment 4

Popular Name: AR56

County: Rich

County Road Number: AR56

State Geographic Information Database (SGID) Road Identification Number: RD170508.

Road-Segment Number: 001

Road-Segment Length: 1.44 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 12 North Range 6 East, Section(s) 30,31,32, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR56)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 41 degrees 44 minutes 42.19 seconds North Latitude and -111 degrees 19 minutes 01.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,690,349.3 feet and Y = 3,795,243.0 feet; thence the following courses along the said road center line:

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thence South 76 Degrees 31 Minutes 56 Seconds East thence South 80 Degrees 40 Minutes 18 Seconds East thence South 77 Degrees 31 Minutes 38 Seconds East thence South 63 Degrees 46 Minutes 00 Seconds East thence South 68 Degrees 04 Minutes 57 Seconds East thence South 63 Degrees 46 Minutes 00 Seconds East thence South 54 Degrees 06 Minutes 46 Seconds East thence South 44 Degrees 53 Minutes 15 Seconds East thence South 40 Degrees 40 Minutes 24 Seconds East thence South 52 Degrees 06 Minutes 40 Seconds East thence South 62 Degrees 21 Minutes 08 Seconds East 33.4 feet thence South 62 Degrees 50 Minutes 19 Seconds East 36.3 feet
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thence South 61 Degrees 13 Minutes 37 Seconds East 36.4 feet
thence South 55 Degrees 47 Minutes 49 Seconds East 37.1 feet
thence South 54 Degrees 03 Minutes 05 Seconds East 38.3 feet
thence South 50 Degrees 39 Minutes 16 Seconds East 37.5 feet
thence South 49 Degrees 02 Minutes 49 Seconds East 35.8 feet
thence South 43 Degrees 52 Minutes 53 Seconds East 36.7 feet
thence South 40 Degrees 52 Minutes 49 Seconds East 38.9 feet
thence South 37 Degrees 46 Minutes 56 Seconds East 38.9 feet
thence South 30 Degrees 50 Minutes 59 Seconds East 36.2 feet
thence South 29 Degrees 56 Minutes 47 Seconds East 35.9 feet
thence South 30 Degrees 24 Minutes 01 Seconds East 36 feet
thence South 32 Degrees 16 Minutes 54 Seconds East 36 feet
thence South 29 Degrees 16 Minutes 57 Seconds East 35.3 feet
thence South 22 Degrees 14 Minutes 05 Seconds East 34.3 feet
thence South 19 Degrees 38 Minutes 53 Seconds East 33.7 feet
thence South 18 Degrees 25 Minutes 50 Seconds East 21.2 feet
thence South 18 Degrees 23 Minutes 20 Seconds East 12.6 feet
thence South 17 Degrees 14 Minutes 12 Seconds East 35 feet
thence South 15 Degrees 22 Minutes 41 Seconds East 31.6 feet
thence South 17 Degrees 18 Minutes 25 Seconds East 32.6 feet
thence South 23 Degrees 22 Minutes 16 Seconds East 31 feet
thence South 28 Degrees 47 Minutes 48 Seconds East 31 feet
thence South 29 Degrees 48 Minutes 27 Seconds East 34.7 feet
thence South 30 Degrees 47 Minutes 50 Seconds East 32.4 feet
thence South 32 Degrees 09 Minutes 32 Seconds East 33.6 feet
thence South 32 Degrees 40 Minutes 44 Seconds East 35 feet
thence South 30 Degrees 44 Minutes 34 Seconds East 35 feet
thence South 32 Degrees 04 Minutes 15 Seconds East 37.4 feet
thence South 32 Degrees 58 Minutes 09 Seconds East 34.7 feet
thence South 35 Degrees 24 Minutes 54 Seconds East 33.7 feet
thence South 38 Degrees 38 Minutes 41 Seconds East 33.9 feet
thence South 38 Degrees 59 Minutes 29 Seconds East 33.6 feet
thence South 39 Degrees 20 Minutes 36 Seconds East 33.4 feet
thence South 40 Degrees 41 Minutes 46 Seconds East 34.5 feet
thence South 42 Degrees 58 Minutes 42 Seconds East 33.9 feet
thence South 42 Degrees 36 Minutes 19 Seconds East 34.2 feet
thence South 41 Degrees 27 Minutes 58 Seconds East 34.4 feet
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 thence South 37 Degrees 51 Minutes 59 Seconds East 33.9 feet
 thence South 34 Degrees 26 Minutes 46 Seconds East 36.9 feet
 thence South 32 Degrees 05 Minutes 28 Seconds East 40.5 feet
 thence South 34 Degrees 33 Minutes 48 Seconds East 38.5 feet
 thence South 36 Degrees 21 Minutes 32 Seconds East 35.7 feet
 thence South 40 Degrees 27 Minutes 28 Seconds East 30 feet
 thence South 43 Degrees 56 Minutes 04 Seconds East 28.6 feet
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thence South 64 Degrees 16 Minutes 01 Seconds East 33.6 feet
thence South 61 Degrees 16 Minutes 37 Seconds East 33.8 feet
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thence South 89 Degrees 43 Minutes 42 Seconds East 31.2 feet
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thence North 83 Degrees 03 Minutes 48 Seconds East 31.4 feet
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thence North 74 Degrees 55 Minutes 29 Seconds East 32.2 feet
thence North 78 Degrees 54 Minutes 37 Seconds East 33.4 feet
thence North 80 Degrees 12 Minutes 21 Seconds East 33.9 feet
thence North 84 Degrees 24 Minutes 52 Seconds East 28.7 feet
thence North 84 Degrees 43 Minutes 44 Seconds East 26.7 feet
thence North 86 Degrees 29 Minutes 18 Seconds East 23.7 feet
thence North 87 Degrees 47 Minutes 25 Seconds East 20 feet
thence North 83 Degrees 19 Minutes 41 Seconds East 23.8 feet
thence North 82 Degrees 38 Minutes 23 Seconds East 24.1 feet
thence North 82 Degrees 32 Minutes 35 Seconds East 26.5 feet
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 thence South 67 Degrees 47 Minutes 53 Seconds East 33.4 feet
 thence South 68 Degrees 25 Minutes 22 Seconds East 32.5 feet
 thence South 69 Degrees 55 Minutes 18 Seconds East 30.1 feet
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thence South 83 Degrees 26 Minutes 20 Seconds East 30.1 feet
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thence South 88 Degrees 59 Minutes 01 Seconds East 27.9 feet
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thence South 84 Degrees 32 Minutes 19 Seconds East 22.8 feet
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thence South 62 Degrees 04 Minutes 54 Seconds East 25 feet
thence South 63 Degrees 25 Minutes 31 Seconds East 24.7 feet
thence South 61 Degrees 35 Minutes 30 Seconds East 23.2 feet
thence South 63 Degrees 04 Minutes 34 Seconds East 24.4 feet
thence South 61 Degrees 46 Minutes 48 Seconds East 25.4 feet
thence South 61 Degrees 25 Minutes 20 Seconds East 25.1 feet
thence South 58 Degrees 54 Minutes 07 Seconds East 27.7 feet
thence South 61 Degrees 33 Minutes 06 Seconds East 26.6 feet
thence South 55 Degrees 46 Minutes 59 Seconds East 24.3 feet
thence South 53 Degrees 40 Minutes 31 Seconds East 17.6 feet
thence South 50 Degrees 20 Minutes 40 Seconds East 13.3 feet
```

thence South 52 Degrees 02 Minutes 28 Seconds East 7.9 feet more or less to **the ending point** at: 41 degrees 44 minutes 11.37 seconds North Latitude and -111 degrees 17 minutes 37.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1.696.745.8 feet and Y = 3.792.137.1 feet.